



ACQUISITION,  
TECHNOLOGY  
AND LOGISTICS

OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-3000

JUN 4 2002

Honorable Marianne Lamont Horinko  
Assistant Administrator  
Office of Solid Waste and Emergency Response  
United States Environmental Protection Agency  
Ariel Rios Building, Mail Code 5101  
1200 Pennsylvania, NW  
Washington, DC 20460

Dear Ms. Horinko:

I am encouraged that the Air Force and Environmental Protection Agency (EPA) Region III are continuing to work positively and constructively towards resolution of post-Record of Decision (ROD) issues at Langley Air Force Base that will apply on a national level. While I am hopeful that a mutually acceptable approach will be reached, it will not happen in the in time to ensure execution of the Department of Defense's (DoD's) Fiscal Year 2002 cleanup requirements.

As you and I have discussed and agreed, cleanup needs to go forward. We can no longer keep cleanup on hold, particularly with end of the end of Fiscal Year 2002 in sight. DoD needs to move forward with cleanup activities where we have agreement on the underlying physical remedy while our agencies are working collaboratively to resolve the post-ROD issues. Therefore, I am now authorizing the DoD Components to move forward with cleanup where we have agreement on the underlying physical remedy.

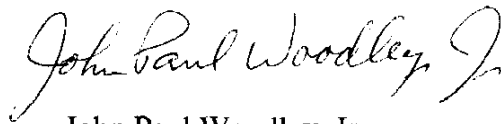
As noted in my January 14, 2002 letter to you, a ROD is a necessary precondition to initiation of cleanup activities. Thus, I am authorizing DoD Components, where there is remedial consensus on the underlying physical remedy, to issue and execute RODs that will include a reservation noting the areas of disagreement. This ROD will be the basis for DoD Components to move forward with implementation of the undisputed portions of the remedy. It is my understanding that while EPA will not sign the ROD or concur with the remedy being final, Regions will document in a letter to the Component their consensus with the physical remedy. While we think this approach preserves both EPA and DoD positions, I anticipate that EPA regions may invoke formal dispute resolution for such RODs on an installation specific basis. While I believe invoking a formal dispute is unnecessary, if it does happen, I hope that EPA regions invoking such disputes will also stay the dispute, pending resolution of the disagreement at



Langley Air Force Base and the collaborative development of a consistent national approach by both our agencies.

Please feel free to call me at (703) 697-8080 on this matter, or have your staff call Mr. Kurt Kratz, my Cleanup Program Director, at (703) 697-5372 or Mr. Shah A. Choudhury, my action officer, at (703) 697-7475.

Very truly yours,

A handwritten signature in black ink that reads "John Paul Woodley, Jr." with a stylized flourish at the end.

John Paul Woodley, Jr.  
Assistant Deputy Under Secretary of Defense  
(Environment)

cc:  
DGC(E&I)  
DASA(ESOH)  
DASN(E)  
DASAF(ESOH)  
DLA-DSSE